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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,701	03/29/2004	Seung-Min Park	678-1324 (P11400)	1365
28249	7590	03/09/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			LA, NICHOLAS T	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/811,701		PARK ET AL.	
	Examiner		Art Unit	
	Nicholas T. La		2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 0209 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claim 1-3, and 5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siddoway et al. (US Patent No. 6,473,631) and further in view of Spoonhower et al. (US Pub. No. 2002/0118279).

Regarding **claim 1**, Siddoway et al. teaches portable communication device including a camera lens module, comprising:

a main housing (Figure 1, 2, 4; col. 3, line 1 to 25)

a pair of connecting side arms extended lengthwise from both side corners of the main housing, facing each other (Figure 1, 2, 4, elements support bearings 204, 206; col. 3, line 17 to 24) ; and

a housing (102) including a speaker (104) formed on a circular upper surface thereof and the camera lens module (118) formed on a lower surface thereof, wherein the housing (102) is rotatably connected to the pair connecting side arms (204, 206) and a predetermined portion of the housing is accommodated between the connecting side arms, so that the housing is rotatable around a hinge axis (Figure 1, 2, 4, col. 3, line 1 to 45).

However, Siddoway et al. does not teach the housing as being cylindrical in shape. Nevertheless, it is obvious that a cylindrical housing is simpler, more elegant in style, and user friendlier than some other shapes like ear cup shape such as taught by Siddoway et al. Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Siddoway et al. portable communication device with camera module and to replace ear cup shape housing such as taught by Siddoway with a cylindrical housing for the same advantages, especially since Siddoway ear cup shape is very close to cylindrical shape in appearances.

Siddoway et al. also fails to teach the camera lens module is detachable so that the camera lens module can be replaced by another camera module. In an analogous art, Spoonhower et al. discloses an intra-oral camera with integral display that can be wirelessly communicating with an integral base (Figure 6, paragraph [0029]). Spoonhower et al. further discloses a camera lens module is detachable (24) (Figure 1, paragraph [0020], [0038]). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Siddoway et al. camera lens module with a detachable one such as taught by Spoonhower et al. in order to accomplish first of all, easier to clean the equipment and secondly

providing the user a chance to replace it with another camera lens modules or if the user wishes to put the camera lens module away for any safety purposes (avoiding scratches, breakages, ect) .

Regarding **claim 2**, Siddoway et al. further teaches a portable communication device, wherein the main housing comprises, on an upper surface thereof, a display (display 116, figures 1, 4, col. 2, line 54 to 67), a plurality of keys arranged below the display (keypad 110, figures 1, 4, col. 2, line 33 to 54, col. 4, line 25 to 33), and a microphone positioned below the keys (microphone 106, figures 1, 4, col. 2, line 33 to 54).

Regarding **claim 3**, Siddoway et al. further teaches a portable communication device, wherein the cylindrical housing is rotatably connected to the connecting side arms so that the cylindrical housing can rotate 180.degree (Figure 2, the rotation 208 of the housing 202 rotatably connected to bearing arms 204 and 206 for a rotation of 180 degree such as taught in col. 3, line 18 to 45).

Regarding **claim 5**, Siddoway et al. further teaches a portable communication device, wherein the main housing is bar-shaped (figure 1, 2, and 4).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas T. La whose telephone number is (571)-272-8075. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Nicholas La

03/06/2006



NICK CORSARO
PRIMARY EXAMINER